IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 18.01.2007

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice N.PAUL VASANTHAKUMAR

Writ Appeal Nos.1071, 1087 & 1226 of 2002
WAMP No.2051 of 2002

M.Duraikannan ... Appellant in WA.No.1071/2002

M.Vimala ... Appellant in WA.No.1087/2002

M.Vaidvelu ... Appellant in WA.No.1226/2002

Vs.

1. State of Tamil Nadu,
rep. by its Secretary to
Government, Adi Dravidar and Tribal
Welfare (ADW-2) Department,
Fort St. George, Chennai-9.

2.The Chairman,
District Level Vigilance Committee on
Community verification,
Collectrate,
Trichirapalli. ... Respondent 1 & 2 in all Was

3.The Deputy General Manager,
Circle Office, Canara Bank,
Madurai. ... 3rd respondent in WA.1087/2002

4. The Manager/Personnel (R&S),
BHEL, Tiruchirappalli. ... 3rd respondent in WA.1226/2002

Writ appeals filed under Clause 15 of the Letters Patent against the orders dated 02.04.2002 and 11.04.2002 made in W.P.Nos.10573 and 10365 of 2002 and W.P.No.12268 of 2002 respectively.

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WP.No.10573/02 : to issue a Writ of Certiorari calling for records relating to 1. G.O.2(D) No.18 dated 01.04.97 on the file of the 1st respondent and the consequential enquiry notice in RCW7/104382/91 dated 12.03.2002, 2. notice in ROC.54149/2000(D10) on the file of the 2nd respondent dated 06.09.2001 and 3. notice in RCW7/53930/93 on the file of 2nd respondent dated 04.02.2002 respectively quash the same and pass such further order.

For Appellants : Mr.S.Doraisamy
For respondents 1 & 2 : Mr.K.Elango, Special Government Pleader
For 3rd respondent in WA.1226/2002 : Mr.B.T.Seshadri

COMMON JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

Writ appeals are directed against the orders dated 02.04.2002 and 11.04.2002 made in W.P.Nos.10573 and 10365 of 2002 and W.P.No.12268 of 2002 respectively, in and by which, the learned single has dismissed the writ petitions.

2. It is not in dispute that as on date pursuant to the direction of this Court, the State Government constituted a Three Member Committee at the District Level for verification of the community certificates issued by various authorities. In view of the same, we are of the view that all the matters have to be considered afresh by the Three Member Committee. On this ground, the proceedings issued by the District Collector and the orders passed by the learned single Judge are set aside and all the matters are remitted to District Level Three Member Caste Scrutiny Committee. The Committee is directed to go into the genuineness of the community certificates issued in favour of the appellants and arrive at a specific conclusion within a period of six months from the date of receipt of a copy of this order, after affording opportunity to the respective parties.

3. The writ appeals are allowed on the above terms. No costs. Consequently, WAMP No.2051 of 2002 is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1. The Secretary to Government,
   State of Tamil Nadu,
   Adi Dravidar and Tribal
   Welfare (ADW-2) Department,
   Fort St. George, Chennai-9.

2.The Chairman,
   District Level Vigilance Committee on
   Community verification,
   Collectrate,
   Trichirapalli.

2 cc To The Government Pleader, SR.3146, 3147.
1 cc To Mr.B.T.Seshadri, Advocate, SR.3048.
3 cc To Mr.S.Doraisamy, Advocate, SR.2957.

W.A.Nos.1071, 1087 & 1226 of 2002

SSV(CO)
RVL 25.01.2007

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